
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, OCTOBER 10, 2023

JOURNAL OF THE SENATE

Tuesday, October 10, 2023.

Met at six minutes past eleven o'clock A.M. (Ms. Jehlen 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, Ms. Jehlen, members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communications.

Communications from the Honorable Karen E. Spilka, President of the Senate, announcing the appointments of Colby Dillon and Jennifer McKinnon (pursuant to Section 1 of Chapter 211D of the General Laws) to the Committee for Public Counsel Services (received October 4, 2023),-- **were severally received and placed on file.**

Committee for Public Counsel Services,-- appointments.

Reports.

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

Report of the Berkshire District Attorney (pursuant to Section 24W(e) of Chapter 90 and Section 47(d) of Chapter 94C of the General Laws) submitting its fiscal year 2023 annual reports relative to motor vehicle forfeiture funds and drug rehabilitation, drug education and other anti-drug or neighborhood crime watch programs (received October 5, 2023);

Berkshire DA,-- reports. SD2785

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 Barnstable County Correctional Facility (received October 10, 2023); and

DPH,-- facility inspection. SD2786

Report of the Montachusett Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2023 (received October 6, 2023).

MART,-- auditors' report. SD2787

Petition.

Mr. Cronin (by request) presented a petition (accompanied by bill) (subject to Joint Rule 12) of Wayne Queeney for legislation to establish distinctive license plates,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Distinctive license plates. SD2784

Reports of a Committee.

By Mr. Eldridge, for the committee on the Judiciary, on Senate, Nos. 913, 951 and 1109 and House, Nos. 1469, 1640 and 1811, a Bill relative to archaic laws (Senate, No. 2457);

Archaic laws.

Read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

By Mr. Eldridge, for the committee on the Judiciary, on Senate, No. 926 and House, No. 1736, a Bill relative to fentanyl test strips (Senate, No. 2458);

Fentanyl test strips.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4112) of Tommy Vitolo (by vote of the town) for legislation to authorize ranked choice voting in the town of Brookline; and

Brookline,-- ranked choice voting.

Petition (accompanied by bill, House, No. 4114) of Natalie M. Blais and Joanne M. Comerford (by vote of the town) that the town of Leverett be authorized to provide for local voting rights for certain lawful permanent residents residing in said town;

Leverett,-- local voting rights.

Severally to the committee on Election Laws.

Petition (accompanied by bill, House, No. 4113) of Kate Hogan (by vote of the town) for legislation to further regulate special police officers in the town of Hudson;

Hudson,-- special police officers.

To the committee on Public Service.

A Bill increasing the number of members for the select board of the town of Lakeville (House, No. 2093, amended,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Lakeville,-- select board membership.

Reports

Of the committee on Public Service, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 2662) of Alan Silvia, Paul A. Schmid, III and Michelle M. DuBois relative to retirement buyback for veterans; and

Veterans,-- retirement buyback.

Of the petition (accompanied by bill, House, No. 2627) of Jerald A. Parisella relative to veterans' retirement system buybacks;

Id.

And recommending that the same severally be referred to the committee on Veterans and Federal Affairs.

Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Walter F. Timilty for legislation to further regulate the priority of claims of cities or towns for payment of municipal liens.

Cities or towns,-- municipal liens. SD2738

The rules were suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Financial Services.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Walter F. Timilty for legislation relative to technical rescue services.

Technical rescue services. SD2755

The rules were suspended, on motion of Mr. O'Connor, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Safety and Homeland Security.

Severally sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4119) of Jeffrey N. Roy that the Executive Office of Education establish an adult workforce diploma program to assist certain adults in obtaining high school diplomas and developing employability and career technical

Adult education,-- workforce.

skills;

Under suspension of Joint Rule 12, to the committee on Education.

Petition (accompanied by bill, House, No. 4120) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the county of Nantucket be authorized to convey certain parcels of land to the town of Nantucket;

Nantucket,-- land.

Under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4121) of Russell E. Holmes for legislation to require automated external defibrillators at sporting events;

AED's,-- sporting events.

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

Petition (accompanied by bill, House, No. 4116) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the town of Nantucket be authorized to issue pension obligation bonds or notes;

Nantucket,-- pension bonds.

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

Petition (accompanied by bill, House, No. 4117) of Rady Mom and Rodney M. Elliott that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land to the city of Lowell;

Lowell,-- land.

Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Petition (accompanied by bill, House, No. 4118) of Dylan A. Fernandes, Kip A. Diggs and others relative to establishing year-round daily commuter rail service to Cape Cod;

Cape Cod,-- commuter rail restoration.

Under suspension of Joint Rule 12, to the committee on Transportation.

Emergency Preambles Adopted.

An engrossed Bill relative to requiring the Highway Division of the Massachusetts Department of Transportation to establish a department and licensure process to oversee quarries producing concrete aggregate (see House, No. 4050, 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.

Quarries,-- licensure process.

The bill was signed by the Acting President (Ms. Jehlen) and sent to the House for re-enactment.

An engrossed Bill relative to the rate of payment for certain MassHealth ground ambulance services (see House, No. 4054, 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.

MassHealth,-- ambulance rates.

The bill was signed by the Acting President (Ms. Jehlen) and sent to the House for re-enactment.

Engrossed Bills.

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be re-enacted and were signed by the Acting President (Ms. Jehlen) and again laid before the Governor for her approbation, to wit:

Relative to requiring the Highway Division of the Massachusetts Department of Transportation to establish a department and licensure process to oversee quarries

Bills again laid before the Governor.

UNCORRECTED PROOF.

producing concrete aggregate (see House, No. 4050, amended); and

Relative to the rate of payment for certain MassHealth ground ambulance services (see House, No. 4054, amended).

An engrossed Bill clarifying the application of judicial retirement law (see House, No. 4082, amended) (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 (Ms. Jehlen) and laid before the Governor for her approbation.**

Bill laid before the Governor.

Order Adopted.

On motion of Mr. O'Connor,--

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

Time of meeting.

On motion of the same Senator, at twenty-two minutes past eleven o'clock A.M., the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.