
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



MONDAY, OCTOBER 2, 2023

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Monday, October 2, 2023.

Met at eleven 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 Department of Public Health relative to its plan of correction for the Essex County Women in Transition inspection on August 31, 2023 (received September 29, 2023),-- **was placed on file.**

DPH,-- plan of correction.
SD2774

Reports.

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

Report of the Massachusetts Legal Assistance Corporation (pursuant to Section 10 of Chapter 221A of the General Laws) submitting its fiscal year 2023 annual report (received September 28, 2023);

MLAC,-- annual report.
SD2775

Report of the Massachusetts Port Authority (pursuant to item 6720-1340 of Section 2C of Chapter 219 of the Acts of 2016) submitting its 2023 annual report on the Paul W. Conley Terminal in South Boston (received September 28, 2023); and

Massport,-- Conley Terminal annual report. SD2776

Report of MassBiologics of the University of Massachusetts Chan Medical School (pursuant to Section 43(f) of Chapter 75 of the General Laws) submitting its fiscal year 2023 annual report (received September 29, 2023).

MassBiologics,-- annual report.
SD2777

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Creem, a petition (accompanied by bill, Senate, No. 2448) of Cynthia Stone Creem, Ruth B. Balsler, Kay Khan and John J. Lawn, Jr. (with approval of the mayor and city council) for legislation to authorize the City of Newton to prohibit the application of second generation anti-coagulant rodenticides within its borders [Local approval received];

Newton,-- prohibit anti-coagulant rodenticides.

Under Senate Rule 20, to the committee on Environment and Natural Resources. Sent to the House for concurrence.

By Mr. Gomez, a petition (accompanied by bill) (subject to Joint Rule 12) of Adam Gomez and Attorney General Andrea Joy Campbell, for legislation to establish the Environmental Justice Trust Fund; and

Environmental Justice Trust Fund.
SD2767

By Mr. O'Connor, a petition (accompanied by bill) (subject to Joint Rule 12) of Patrick M. O'Connor for legislation to improve pediatric cancer research;

Pediatric cancer research.
SD2773

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

Committee Discharged.

Mr. Eldridge, for the committee on the Judiciary, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 621) of Joanne M. Comerford, Mindy Domb, Thomas M. Stanley, James B. Eldridge and others for legislation to protect equity for homeowners facing foreclosure,-- and recommending that the same be referred to the committee on Revenue.

Homeowners,--
foreclosure.

Under Senate Rule 36, the report was considered forthwith and accepted. Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill providing for recall elections in the town of Conway (House, No. 3575,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Conway,-- recall
elections.

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Paul O'Brien, an employee of the trial court of the commonwealth (see House, No. 4083), 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.

Paul O'Brien,-- sick
leave.

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

Resolutions.

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

Resolutions (filed by Mr. Barrett) "commending the Concord – Nanae Network on its twenty-fifth anniversary of sister city relations";

Concord – Nanae
Network.

Resolutions (filed by Mr. Brady) "congratulating Cameron Montgomery Golden on his elevation to the rank of Eagle Scout";

Cameron
Montgomery Golden.

Resolutions (filed by Mr. Brownsberger) "commending The Watertown Community Foundation, Inc. for 20 years of dedicated service to the city of Watertown" and

Watertown
Community
Foundation, Inc.
Attleboro Area
Interfaith
Collaborative.

Resolutions (filed by Mr. Feeney) "commending The Attleboro Area Interfaith Collaborative on the occasion of serving its one millionth meal to those in need through the Food n' Friends Program."

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 House Bill relative to the appointment of a commissioner of health and human services in the City of Brockton (House, No. 3824),-- **was read a second time, 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 to read as follows:- "An Act providing for the appointment of a commissioner of public health in the city of Brockton".**

Brockton,-- HHS
commissioner.

The House Bill exempting Joanne Ricardelli from the maximum age requirement for

Wilmington,-- Joanne

firefighters in the town of Wilmington (House, No. 3964) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Ricardelli.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4105) of Carlos González for legislation to establish a sick leave bank for Jaer J. Martinez, an employee of the Department of Transitional Assistance;

Jaer J. Martinez,-- sick leave.

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

Petition (accompanied by bill, House, No. 4106) of Danielle W. Gregoire relative to a sales tax exemption for certain disabled veterans with purple heart license plates;

Disabled veterans,-- tax exemption.

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

Petition (accompanied by bill, House, No. 4107) of Michael S. Day that a certain overpass over state Route 28 in the town of Stoneham be designated as the State Trooper Tamar A. Bucci memorial bridge; and

Stoneham,-- State Trooper Tamar A. Bucci memorial bridge.

Petition (accompanied by bill, House, No. 4108) of David F. DeCoste, Patrick M. O'Connor and Patrick Joseph Kearney for legislation to designate a certain bridge spanning the North River in the towns of Marshfield and Norwell as the Lt. David S. Cutler memorial bridge;

Marshfield/Norwell, - Lt. David S. Cutler memorial bridge.

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

A Bill providing for the annual election of members of the Spencer-East Brookfield Regional School Committee (printed as Senate, No. 421,-- on petition),-- was read.

Spencer-East Brookfield Regional School Committee.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and ordered to a third reading.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Paul O'Brien, an employee of the trial court of the commonwealth (see House, No. 4083) (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. Brownsberger) and laid before the Governor for her approbation.**

Bill laid before the Governor.

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to property rights (Senate, No. 2430),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2449).

Property rights.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2449) was then ordered to a third reading.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill clarifying the application of judicial retirement law (House, No. 4082),-- ought to pass, with an amendment inserting before the enacting clause the following emergency preamble:-

Judicial retirement,-- application.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which

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is to clarify forthwith the application of judicial retirement law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Order Adopted.

On motion of Mr. Tarr,--

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

Time of meeting.

On motion of the same Senator, at nineteen minutes before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at one o'clock P.M.