

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JANUARY 4, 2024

[2]

JOURNAL OF THE SENATE

Thursday, January 4, 2024.

Met at eight 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.

Petitions.

Petitions were severally presented and referred as follows:

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 2545) of Patricia D. Jehlen, Christine P. Barber, Erika Uytterhoeven and Mike Connolly (with approval of the mayor and city council) for legislation to authorize the city of Somerville to regulate rent in residential dwelling units;

Somerville,-- rent control.

Under Senate Rule 20, to the committee on Housing. Sent to the House for concurrence.

By Mr. Rush, a petition (accompanied by bill) (subject to Joint Rule 12) of Michael F. Rush for legislation relative to superannuation benefits for Ann Marie OKeefe,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches acting concurrently.**

OKeefe,-- superannuation benefits. SD2926

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4237) of Chris Walsh and others (by vote of the town) to that the town of Framingham be authorized to amend town meeting articles of said town,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Wrentham,-- charter.

Bills

Authorizing the town of Norwell to establish a means tested senior citizen property tax exemption (House, No. 2765,-- on petition) [Local approval received]; and

Norwell,-- property tax.

Authorizing the town of Truro to establish a program to reduce property tax liability in exchange for volunteer services for persons with disabilities (House, No. 3735,-- on petition) [Local approval received];

Truro,-- property tax program.

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Report of a Committee.

Mr. Rush, for the Special Committee of the Senate on the arrangement of seats, reported that the seating of the Senate be in the following order:

Arrangement of seats.

Honorable Karen E. Spilka, President of the Senate.

On the President's Left.

1. Hon. Cynthia Stone Creem
2. Hon. William N. Brownsberger
3. Hon. Michael J. Rodrigues
4. Hon. Cindy F. Friedman
5. Hon. Joanne M. Comerford
6. Hon. Jason M. Lewis
7. Hon. Joan B. Lovely
8. Hon. Michael J. Barrett
9. Hon. Sal N. DiDomenico
10. Hon. Michael F. Rush
11. Hon. Julian Cyr
12. Hon. Brendan P. Crighton
13. Hon. Mark C. Montigny
14. Hon. James B. Eldridge
15. Hon. Lydia Edwards
16. Hon. Nick Collins
17. Hon. Robyn K. Kennedy
18. Hon. Michael O. Moore
19. Hon. Patricia D. Jehlen
20. Hon. Edward J. Kennedy

On the President's Right.

1. Hon. Marc R. Pacheco
2. Hon. Michael D. Brady
3. Hon. John C. Velis
4. Hon. Patrick M. O'Connor
5. Hon. Bruce E. Tarr
6. Hon. Peter J. Durant
7. Hon. Ryan C. Fattman
8. Hon. John J. Cronin
9. Hon. Jacob R. Oliveira
10. Hon. Walter F. Timilty
11. Hon. Barry R. Finegold
12. Hon. Pavel Payano
13. Hon. Susan L. Moran
14. Hon. Rebecca L. Rausch
15. Hon. Paul W. Mark
16. Hon. John F. Keenan
17. Hon. Liz Miranda
18. Hon. Adam Gomez
19. Hon. Paul R. Feeney
20. Vacant

Resolutions.

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

Resolutions (filed by Ms. Moran) "commending the Cape Cod Museum of Natural History on its recognition of the 150th anniversary of Thornton W. Burgess' birth."

Thornton W. Burgess,-- 150th anniversary.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill providing for the appointment of associate members of the planning board of the town of Shutesbury to fill vacancies on the board (see House, No. 4038) (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 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 Ryan C. Fattman and Marcus S. Vaughn for legislation relative to MSBA school funding increases for technical schools.

MSBA,-- funding study.

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

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 Bruce E. Tarr for legislation relative to renewable energy production technologies.

Renewable energy,-- technology.

The rules were suspended on motion of Mr. Tarr, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was

referred to the committee on Telecommunications, Utilities and Energy.
Severally sent to the House for concurrence.

Matters Taken Out of the Orders of the Day.

The following matters were taken out of the Orders of the Day pursuant to an order previously adopted and considered as follows:

The Senate Bill expanding wheelchair warranty protections for consumers with disabilities (Senate, No. 152),-- was read a second time.

Wheelchair warranty,-- consumers.

After remarks and pending the question on adoption of the amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2541), and pending the main question on ordering the bill to a third reading, Mr. Rodrigues moved that the proposed new draft be amended by striking out, in line 109, the word “less” and inserting in place thereof the following word:- “more”;

By striking out, in line 111, the word “less” and inserting in place thereof the following word:- “more”;

By striking out, in line 134, the word “less” and inserting in place thereof the following word:- “more”; and

By striking out, in line 136, the word “less” and inserting in place thereof the following word:- “more”.

The amendment was adopted.

The Ways and Means amendment, as amended, was then considered; and it was adopted.

The bill (Senate, No. 2541, amended) was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-five minutes past eleven o’clock A.M., on motion of Mr. Cronin, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 100]:**

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |
| Brownsberger, William N. | Lewis, Jason M. |
| Collins, Nick | Lovely, Joan B. |
| Comerford, Joanne M. | Mark, Paul W. |
| Creem, Cynthia Stone | Miranda, Liz |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Durant, Peter J. | Oliveira, Jacob R. |
| Edwards, Lydia | Pacheco, Marc R. |
| Eldridge, James B. | Payano, Pavel M. |
| Fattman, Ryan C. | Rausch, Rebecca L. |
| Feeney, Paul R. | Rodrigues, Michael J. |
| Finegold, Barry R. | Rush, Michael F. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gomez, Adam | Timilty, Walter F. |
| Jehlen, Patricia D. | Velis, John C. – 39. |
| Keenan, John F. | |

NAYS – 0.

The yeas and nays having been completed at twenty-four minutes before twelve o'clock noon, the bill was passed to be engrossed [For Senate Bill, printed as amended, see Senate, No. 2546].

Sent to the House for concurrence.

The Senate Bill facilitating better interactions between police officers and persons with autism spectrum disorder (Senate, No. 2204),-- was read a second time

Persons with autism,-
- police interaction.

After remarks, the amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2542), was considered; and it was adopted.

The bill (Senate, No. 2542) was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twelve minutes before twelve o'clock noon, on motion of Ms. Comerford, as follows, to wit (yeas 39 – nays 0) [Yeas and Nays No. 101]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |
| Brownsberger, William N. | Lewis, Jason M. |
| Collins, Nick | Lovely, Joan B. |
| Comerford, Joanne M. | Mark, Paul W. |
| Creem, Cynthia Stone | Miranda, Liz |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Durant, Peter J. | Oliveira, Jacob R. |
| Edwards, Lydia | Pacheco, Marc R. |
| Eldridge, James B. | Payano, Pavel M. |
| Fattman, Ryan C. | Rausch, Rebecca L. |
| Feeney, Paul R. | Rodrigues, Michael J. |
| Finegold, Barry R. | Rush, Michael F. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gomez, Adam | Timilty, Walter F. |
| Jehlen, Patricia D. | Velis, John C. – 39. |
| Keenan, John F. | |

NAYS – 0.

The yeas and nays having been completed at seven minutes before twelve o'clock noon, the bill was passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill relative to fentanyl test strips (Senate, No. 2458),-- was read a second time.

Fentanyl test strips.

After remarks, the amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2543), was considered; and it was adopted.

The bill (Senate, No. 2543) was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-three minutes past twelve o'clock noon, on motion of Ms. Creem, as

follows, to wit (yeas 39 – nays 0) [Yeas and Nays No. 102]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |
| Brownsberger, William N. | Lewis, Jason M. |
| Collins, Nick | Lovely, Joan B. |
| Comerford, Joanne M. | Mark, Paul W. |
| Creem, Cynthia Stone | Miranda, Liz |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Durant, Peter J. | Oliveira, Jacob R. |
| Edwards, Lydia | Pacheco, Marc R. |
| Eldridge, James B. | Payano, Pavel M. |
| Fattman, Ryan C. | Rausch, Rebecca L. |
| Feeney, Paul R. | Rodrigues, Michael J. |
| Finegold, Barry R. | Rush, Michael F. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gomez, Adam | Timilty, Walter F. |
| Jehlen, Patricia D. | Velis, John C. – 39. |
| Keenan, John F. | |

NAYS – 0.

**The yeas and nays having been completed at twenty-six minutes past twelve o'clock noon, the bill was passed to be engrossed.
Sent to the House for concurrence.**

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 Mr. James F. “Jim” English.

Moment of silence.

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.

Adjournment in Memory of Mr. James F. “Jim” English.

The Senator from Suffolk, Mr. Collins, moved that when the Senate adjourns today, it do so in memory of Mr. James F. “Jim” English, who passed away on December 28, 2023.

Jim is survived by his wife of nearly 40 years, Moira (Finn), and their children, Emily, Christopher, Caroline and her husband Sebastian Salvo, Samuel and MaryKate Nelligan and his granddaughter, Grace Salvo.

A “true son of Boston”, Jim lived his whole life in Dorchester. He was the son of Everett and Mary (Boyce) English. He was the beloved brother of Joseph English and his wife Katie, Maureen Bowe and her husband Thomas, Barbara Jeffrey, Patricia English and

Bob Goulet and Anne English.

Over 40 years ago Jim was welcomed with open arms into the Finn family, by his beloved mother-in-law, Mary, her husband, the late Richard “Huck” Finn and Moira’s eight siblings, some of whom affectionately called him, “Jimmy German.” Later, as the family continued to grow, he would welcome additional brothers-in-law, each jokingly competing to be the second- favorite son-in-law. He also welcomed the sisters-in-law and many nieces and nephews that he adored.

Jim was a graduate of Boston Latin School and a proud member of the Wolfpack. There, he made lifelong friends, including Ed O’Donnell. Jim was a proud graduate of UMass Amherst where he was a member of Zeta Nu.

After graduating UMass Amherst, Jim became heavily involved in the local political scene, where he worked under the guidance of Mayor Kevin White. After years of public service, Jim began working in the real estate development world. Jim’s creativity, network and keen understanding of development was invaluable. Throughout his career, he worked on some of the biggest buildings in the city he loved. In 2021, Jim retired as a Senior Vice President at Suffolk Construction.

Despite working as hard as he did, he never missed any of his children’s games, competitions, graduations, or award ceremonies. Widely regarded as “the nicest guy around,” Jim was friendly, quick-witted, always greeting anyone he met with a joke and a smile (with a fountain Diet Coke in hand). Mr. English will be greatly missed by his friends and colleagues. We send our heartfelt condolences to his family and loved ones during this tremendously sad and difficult time.

Accordingly, as a mark of respect to the memory of Mr. James F. “Jim” English, at twenty-nine minutes before twelve o’clock noon, on motion of Mr. Timilty, the Senate adjourned to meet again on Monday next at eleven o’clock A.M.