

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**MONDAY, APRIL 22, 2024**

[35]

JOURNAL OF THE SENATE

Monday, April 22, 2024.

Met at nineteen minutes past eleven o'clock A.M. (Mr. Timilty 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. Timilty), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Communication.

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

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 quarterly pharmacy pipeline report for April 2024 (received April 18, 2024); and

EOHHS,-- pharmacy pipeline report. SD3178  
Emergency Housing Assistance Program,-- bi-weekly report. SD3184

Communication from the Executive Office for Administration and Finance (under the provisions of item 1599-0514 of Chapter 77 of the Acts of 2023) submitting a copy of its bi-weekly report on the status of the Emergency Housing Assistance Program dated April 22, 2024 (received April 22, 2024).

Reports.

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

Report of the Department of Correction (pursuant to Section 16 of Chapter 123A of the General Laws) submitting its 2023 annual report regarding the treatment provided to sexually dangerous persons (copies having been forwarded as required to the Chair of the Senate Committee on Ways and Means and the Senate Chair of the Joint Committee on the Judiciary) (received April 2, 2024);

DOC,-- dangerous persons report. SD3174

Report of the Massachusetts Health Connector (pursuant to Section 15 of Chapter 176Q of the General Laws) submitting its fiscal year 2023 report entitled "Activities and Accomplishments of the Massachusetts Marketplace" (received April 18, 2024);

Health Connector,-- FY23 report. SD3175

Report of the Cannabis Control Commission (pursuant to Section 18 of Chapter 94G of the General Laws) submitting its annual audit report (copies having been forwarded as required to the Chair of the Senate Committee on Ways and Means) (received April 2, 2024);

CCC,-- audit report. SD3177

Report of the Merrimack Valley 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 April 3, 2024); and

MVRTA,-- auditors' report. SD3179

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 the Western Massachusetts Recovery and Wellness Center, Springfield (received April 22, 2024).

DPH,-- facility inspection. SD3183

Reports of a Committees.

By Ms. Friedman, for the committee on Health Care Financing, on Senate, Nos. 73, 212, 1358, 1383, 1400, 1407, 1417, 1418, and 1419 an Order relative to authorizing the

Health Care Financing, -- study.

joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing (Senate, No. 2733); and

By Mr. Cyr, for the committee on Public Health, on Senate, No. 2670, an Order relative to authorizing the joint committee on Public Health to make an investigation and study of a certain current Senate document relative to public health (Senate, No. 2735);

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

By Mr. Cyr, for the committee on Public Health, on Senate, No. 1367 and House, No. 2176, a Bill relative to emergency medical services oversight (Senate, No. 2739); and

By the same Senator, for the same committee, on Senate, No. 1379 and House, No. 2253, a Bill to improve oral health for all Massachusetts residents (Senate, No. 2740);

**Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.**

By Ms. Lovely, for the committee on Rules of the two branches, acting concurrently, that the Senate Bills

Relative to preventing the discharge of radioactive materials (Senate, No. 442);

Establishing a special commission to study the noise effects of hunting migratory game birds in neighborhoods and communities within established coastal zones (Senate, No. 454);

Establishing an oral health special commission and needs assessment (Senate, No. 1392);

**Severally ought to pass;**

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

By Ms. Friedman, for the committee on Health Care Financing, that the Senate Bills  
Establishing testing protocol and care for victims of date rape drugs (Senate, No. 1371)  
[Estimated cost: greater than \$100,000];

Improving healthcare delivery for underserved residents of the commonwealth (Senate, No. 1402) [Estimated cost: greater than \$100,000];

Relative to newborn screenings for congenital cytomegalovirus (Senate, No. 1405)  
[Estimated cost: greater than \$100,000];

To improve infection control within long-term care facilities (Senate, No. 1422)  
[Estimated cost: greater than \$100,000];

Improving Hepatitis C screening (Senate, No. 1423) [Estimated cost: greater than \$100,000];

Relative to baseline concussion testing for student athletes (Senate, No. 1454)  
[Estimated cost: greater than \$100,000];

Relative to assisted living and basic health services (Senate, No. 2527) [Estimated cost: greater than \$100,000];

Modernizing childhood lead poisoning prevention (Senate, No. 2578) [Estimated cost: greater than \$100,000];

Establishing an LGBTQI long-term care facility bill of rights (Senate, No. 2604)  
[Estimated cost: greater than \$100,000]; and

Relative to culturally competent and effective health care (Senate, No. 2684)  
[Estimated cost: greater than \$100,000];

**Severally ought to pass;**

Public Health,--  
study.

Medical services  
oversight.

Oral health,--  
access.

Radioactive  
materials,--  
discharge.  
Hunting noise,--  
commission.

Oral health,--  
commission.

Date rape drugs,--  
testing.

Internationally-  
trained physician,--  
health care.  
Newborns,--  
congenital  
cytomegalovirus.  
Long-term care  
facility,-- infection.

Hepatitis C,--  
screening.

Concussion testing,-  
- student athletes.

Assisted living,--  
health services.

Childhood lead  
poisoning.

LGBTQI long-term  
care,-- bill of rights.

Physicians,--  
diversity.

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

Mr. Lewis for the committee on Education, on Senate, Nos. 240, 247, 248, 276, 333, 342, 346 and 350, a Bill to promote social emotional learning and the mental and behavioral health of students (Senate, No. 2741); and

Students,-- learning strategies.

By Ms. Rausch, for the committee on Environment and Natural Resources, on petition (accompanied by resolve, Senate, No. 520), a Resolve to protect pollinator habitat (Senate, No. 2728);

Pollinator habitat,-- protect.

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

By Ms. Rausch, for the committee on Environment and Natural Resources, on petition, a Bill relative to the pesticide board (Senate, No. 521);

Pesticide board.

By the same Senator, for the same committee, on petition, a Bill to promote natural carbon sequestration (Senate, No. 537);

Carbon sequestration,-- promote.

By the same Senator, for the same committee, on Senate, No. 548 and House, No. 835, a Bill protecting dogs at boarding kennels and daycare facilities (Senate, No. 548); and

Dogs,-- kennel regulations.

By Mr. Cyr, for the committee on Public Health, on petition (accompanied by bill, Senate, No. 1415), a Bill relative to birthing justice in the Commonwealth (Senate, No. 2734);

Birthing justice.

**Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.**

By Ms. Rausch, for the committee on Environment and Natural Resources, on petition, a Bill relative to the Quabbin Watershed Advisory Committee (Senate, No. 555);

Quabbin Watershed,-- committee.

**Read and, under Senate Rule 26, referred to the committee on Rules.**

*Committees Discharged.*

Ms. Lovely, for the committee on Rules, reported, asking to be discharged from further consideration of the Senate Bill restoring the retirement rights of certain employees (Senate, No. 1614),-- **and recommending that the same be recommitted to the committee on Public Service.**

Employees,-- retirement rights.

**Under Senate Rule 36, the report was considered forthwith and accepted.**

Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Environment and Natural Resources to make an investigation and study of certain current Senate documents relative to the environment and natural resources (Senate, No. 2729),-- **and recommending that the same be referred to the committee on Rules.**

Environment and Natural Resources, - study

**Under Senate Rule 36, the report was considered forthwith and accepted.**

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4533) of Shirley B. Arriaga and Jacob R. Oliveira (with the approval of the mayor and city council) relative to the terms of the office of mayor in the city of Chicopee;

Chicopee,--mayoral terms.

**To the committee on Election Laws.**

Petition (accompanied by bill, House, No. 4559) of Patrick Joseph Kearney (by vote

Scituate,-- charter.

of the town) relative to amending the charter of the town of Scituate;

**To the committee on Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4534) of Tackey Chan, Bruce J. Ayers and John F. Keenan (with the approval of the mayor and the city council) relative to the retirement of Kevin Bythrow by the retirement board of the city of Quincy;

Quincy,-- Kevin Bythrow retirement.

Petition (accompanied by bill, House, No. 4535) of Tackey Chan, Bruce J. Ayers and John F. Keenan (with the approval of the mayor and the city council) that the city of Quincy be authorized to appoint retired firefighters as special firefighters in said city;

Quincy,-- special firefighters.

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

Petition (accompanied by bill, House, No. 4560) of Simon Cataldo (by vote of the town) that the town of Carlisle be authorized to establish a means tested senior citizen property tax exemption;

Carlisle,-- senior property tax exemption.

**To the committee on Revenue.**

A Bill relative to designating the Rumney Marsh area of critical environmental concern as the Joseph T. James area of critical environmental concern (House, No. 913,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Revere,-- Rumney Marsh designation.

**Bills**

Expanding the Historic Beacon Hill District (House, No. 4076,-- on petition) [Local approval received];

Historic Beacon Hill District.

Relative to the fair housing ordinance of the city of Cambridge (House, No. 4234,-- on petition) [Local approval received]; and

Cambridge,-- housing ordinance.

Authorizing the city of Cambridge to increase the fines for failure to move parked vehicles during street cleaning in the city above the limits set forth in section 20A½ of chapter 90 of the General Laws (House, No. 4264,-- on petition) [Local approval received];

Cambridge,-- parking fines.

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

A petition (accompanied by bill, House, No. 4574) of Natalie M. Blais and Paul W. Mark for legislation to dissolve the Whately Water District,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.**

Whately Water District.

*Report of a Committee.*

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill modernizing protections for consumers in automobile transactions (Senate, No. 171),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2736).

Auto transactions,-- protections.

*Order Adopted.*

Mr. Rodrigues presented the following order, to wit:

*Ordered,* That, notwithstanding the provisions of any rule to the contrary, immediate consideration shall be allowed by the Senate, on Thursday, April 25, 2024, with reference to the report of the committee on Ways and Means on Senate, No. 171, "An Act modernizing protections for consumers in automobile transactions" (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2736).

Procedural order. SD3180

**The rules were suspended, on motion of Mr. Fattman, and the order was considered forthwith and adopted.**

**The bill will be considered on Thursday, April 25, 2024, for a second reading with the amendment pending.**

*Report of a Committee.*

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to the remediation of home heating oil releases (Senate, No. 648),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2737).

Home heating,--  
remediation.

*Order Adopted.*

Mr. Rodrigues presented the following order, to wit:

Ordered, That, notwithstanding the provisions of any rule to the contrary, immediate consideration shall be allowed by the Senate, on Thursday, April 25, 2024, with reference to the report of the committee on Ways and Means on Senate, No. 648, "An Act relative to the remediation of home heating oil releases" (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2737).

Procedural order.  
SD3181

**The rules were suspended, on motion of Mr. Fattman, and the order was considered forthwith and adopted.**

**The bill will be considered on Thursday, April 25, 2024, for a second reading with the amendment pending.**

*Report of a Committee.*

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill relative to electric ratepayer protections (Senate, No. 2106),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2738).

Ratepayer,-- electric  
protections.

*Order Adopted.*

Mr. Rodrigues presented the following order, to wit:

Ordered, That, notwithstanding the provisions of any rule to the contrary, immediate consideration shall be allowed by the Senate, on Thursday, April 25, 2024, with reference to the report of the committee on Ways and Means on Senate, No. 2106, "An Act relative to electric ratepayer protections" (the committee on Ways and Means having recommended that the bill be amended by substituting a new draft, Senate, No. 2738).

Procedural order.  
SD3182

**The rules were suspended, on motion of Mr. Fattman, and the order was considered forthwith and adopted.**

**The bill will be considered on Thursday, April 25, 2024, for a second reading with the amendment pending.**

PAPERS FROM THE HOUSE.

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 enacted and were signed by the Acting President (Mr. Timilty) and laid before the Governor for her approbation, to wit:

Authorizing the town of Lunenburg to establish a means tested senior citizen property tax exemption (see House, No. 3911); and

Bills laid before the  
Governor.

Further regulating the housing partnership committee in the town of Westborough (see House, No. 4202).

*Order Adopted.*

On motion of Mr. Fattman,--

**UNCORRECTED PROOF.**

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

Time of meeting.

On motion of the same Senator, at twenty-eight minutes before twelve o'clock noon, the Senate adjourned to meet again on Thursday next at twelve o'clock noon.