

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MAY 4, 2023

JOURNAL OF THE SENATE

Thursday, May 4, 2023.

Met at twenty-four 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.

Distinguished Guests.

There being no objection, the Chair (Mr. Timilty) introduced, in the rear of the Chamber, the graduating 8th grade students from St. Agatha's School in Milton. The students were on a field trip to the State House learning about the different aspects of state government. The students were accompanied by Principal Nancy Carr, Father Palardy, Deacon Dan Sullivan and teacher Charles Blake. The Senate welcomed them with applause and they withdrew from the Chamber. The students were also guests of Senators Keenan and Feeney.

St. Agatha's School,-
- 8th grade.

There being no objection, the Chair (Mr. Timilty) introduced, in the rear of the Chamber, students from the culinary class at Blue Hills Regional Vocational School in Canton. The students were visiting the State House to showcase a variety of foods that they had prepared. Among the group were: Olivia Verity, Despina Grigoriadis, Mason Wachtendonk, Jesse Lawton, Sarah Jocelyn and teachers Rich Spada and Anthony Giuffre. The Senate welcomed them with applause and they withdrew from the Chamber. The students were also guests of Senators Keenan, Feeney and Rush.

Blue Hills Regional
Vocational School.

There being no objection, the Chair (Mr. Timilty) handed the gavel to Mr. Feeney for the purpose of an introduction. Mr. Feeney then introduced, in the rear of the Chamber, the Foxborough High School girls basketball team. The Warriors were recognized for winning the MIAA Division 2 State Championship Title. The team consisted of: Ava Hill, Camryn Collins, Erin Foley, Isabelle Chamberlin, Mackenzie Burton, Reese Hassman, Kylie Sampson, Adrianna Porazzo, Kailey Sullivan, Keagan Maguire, Addie Ruter, Madelyn Maher, Michelle Brandt and Coach Lisa Downs. The Senate applauded their accomplishments and they withdrew from the Chamber. The team was accompanied by Representative Barrows of Mansfield.

Foxborough High
School girls
basketball team.

Communications.

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

Communication from the Department of Public Health relative to its plans of correction for the Boston Pre-Release Center inspection on April 4, 2023 and Western MA Recovery and Wellness Center inspection on April 20, 2023 (received May 1, 2023);

DPH,-- plans of
correction.
SD2589

Communication from the Executive Office of Health and Human Services (pursuant to item 4000-0500 of Section 2 of Chapter 126 of the Acts of 2022) submitting its comparative analysis of the psychiatric inpatient and substance abuse treatment hospital per diem rates as of December 2022 (received May 2, 2023);

EOHHS,--
MassHealth IP psych
report.
SD2590

Communication from the Executive Office of Health and Human Services (pursuant

EOHHS,-- SNPTF
report.

UNCORRECTED PROOF.

to item 1595-1070 of Section 2 of Chapter 126 of the Acts of 2022) submitting its report on payments, investments and assessments of the Safety Net Provider Trust Fund for fiscal years 2019 through 2022 (received May 2, 2023); and

SD2591

Communication from the Honorable William N. Brownsberger, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, May 4, 2023, at nineteen minutes before twelve o'clock noon).

Senator William N. Brownsberger,-- Chapter 268A.

Petition.

Ms. Comerford presented a petition (accompanied by bill) (subject to Joint Rule 12) of Joanne M. Comerford and Susannah M. Whipps for legislation to provide veteran annuity benefits to Raymond Steele,-- **and the same was referred, under Senate Rule 20, to the committees on Rules of the two branches acting concurrently.**

Raymond Steele,-- veteran benefits. SD2592

Reports of a Committee.

By Mr. Oliveira, for the committee on Municipalities and Regional Government, on petition, a Bill relative to changing the board of selectmen of the town of Hanover to a select board (Senate, No. 1302) [Local approval received]; and

Hanover,-- select board.

By the same Senator, for the same committee, on petition, a Bill relative to authorizing the town of Rutland to increase the membership of the board of selectmen (Senate, No. 2371) [Local approval received];

Rutland,-- select board.

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

PAPERS FROM THE HOUSE.

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. 3817) of Tommy Vitolo relative to the portability of alcohol service licenses;

Alcohol service license,-- portability.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 3818) of Manny Cruz relative to preventing rampant online technological exploitation and criminal trafficking and establishing a special commission (including members of the General Court) to examine sentencing for criminal online technological exploitation;

Online technological exploitation,-- prevention.

To the committee on the Judiciary.

Petition (accompanied by bill, House, No. 3819) of Carmine Lawrence Gentile and others relative to reviving, continuing and further regulating the citizens commission established (under Chapter 322 of the Acts of 2018) concerning a Constitutional amendment to secure government of the people;

Citizens Commission,-- revive and continue.

To the committee on Veterans and Federal Affairs.

A petition (accompanied by bill, House, No. 3816) of Steven George Xiarhos and Susan L. Moran (by vote of the town) relative to wastewater treatment and disposal in the town of Sandwich,-- **was referred, in concurrence, to the committee on Environment and Natural Resources.**

Sandwich,-- wastewater treatment.

Reports

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

Of the petition (accompanied by bill, House, No. 2534) of Jessica Ann Giannino for legislation to regulate administrative leaves involving events during which officers

Law enforcement,-- administrative leave.

discharge firearms,-- and recommending that the same be referred to the committee on Public Safety and Homeland Security;

Peace Officer History Month.

Of the petition (accompanied by bill, Senate, No. 1657) of Ryan C. Fattman and David Paul Linsky for legislation to designate January as Peace Officer History Month,-- and recommending that the same be referred to the committee on State Administration and Regulatory Oversight; and

MassDOT,-- board of directors.

Of the petition (accompanied by bill, Senate, No. 1727) of Michael F. Rush, Paul McMurtry, Lydia Edwards and Sal N. DiDomenico for legislation relative to the composition of the board of directors of the Massachusetts Department of Transportation,-- and recommending that the same be referred to the committee on Transportation;

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

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 National Association of Professional Employer Organizations for recognizing the week of May 21, 2023 as National Professional Employer Organization Week”;

National Association of Professional Employer Organizations.
Brigadier General Michael Cornell.

Resolutions (filed by Mr. Collins) “congratulating Brigadier General Michael Cornell on achieving the rank of Brigadier General”;

Matthew Richards.

Resolutions (filed by Ms. Lovely) “congratulating Matthew Richards on his elevation to the rank of Eagle Scout”;

Resolutions (filed by Mr. O’Connor) “commending the United States Tennis Association on recognizing the month of May 2023 as National Tennis Month”;

United States Tennis Association.

Resolutions (filed by Mr. O’Connor) “congratulating Adrian Kelly on his elevation to the rank of Eagle Scout”;

Adrian Kelly.

Resolutions (filed by Mr. O’Connor) “congratulating William Lefevre on his elevation to the rank of Eagle Scout”;

William Lefevre.

Resolutions (filed by Mr. O’Connor) “congratulating Harrison Magee on his elevation to the rank of Eagle Scout”;

Harrison Magee.

Resolutions (filed by Mr. O’Connor) “congratulating Colton Morris on his elevation to the rank of Eagle Scout”;

Colton Morris.

Resolutions (filed by Mr. O’Connor) “congratulating Brady Savage on his elevation to the rank of Eagle Scout”;

Brady Savage

Resolutions (filed by Mr. O’Connor) “congratulating Cole Slocum on his elevation to the rank of Eagle Scout”;

Cole Slocum

Resolutions (filed by Mr. O’Connor) “congratulating Henry Wein on his elevation to the rank of Eagle Scout”; and

Henry Wein.

Resolutions (filed by Mr. O’Connor) “congratulating Jack Wood on his elevation to the rank of Eagle Scout.”

Jack Wood.

PAPERS FROM THE HOUSE.

A Bill establishing a sick leave bank for William Donahue, an employee of the trial court of the Commonwealth (House, No. 3778, amended,-- on petition),-- was read.

William Donahue,-- sick leave.

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

Engrossed Bill.

An engrossed Bill establishing a process for determining the order of candidates'

Bill laid before the

names on the town of Marblehead's town election ballots (see Senate, No. 411) (which originated in the Senate), **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. Timilty) and laid before the Governor for her approbation.**

Governor.

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

Petition (accompanied by bill, House, No. 3822) of Kristin E. Kassner for an investigation by a special commission relative to the preparation of the built environment for the next economy, including an inventory of infrastructure, buildings, and land use regulations;

Economic development,-- special commission.

Under suspension of Joint Rule 12, to the committee on Economic Development and Emerging Technologies.

Petition (accompanied by bill, House, No. 3823) of Kristin E. Kassner, Kenneth I. Gordon and Jeffrey Rosario Turco relative to travel mileage rate fees for sheriffs, deputy sheriffs and constables;

Sheriffs,-- travel mileage rate fees.

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

Order Adopted.

On motion of Mr. O'Connor,--

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.

Moment of Silence.

At the request of the Chair (Mr. Timilty), the members, guests and staff stood in a moment of silence and reflection to the memory of Helen Lemek.

Moment of silence.

Adjournment in Memory of Helen Lemek.

The Senator from the Hampden, Hampshire and Worcester, Mr. Oliveira, moved that when the Senate adjourns today, it do so in memory of Helen Lemek, a lifelong Ludlow resident who served as the Town Clerk for twenty-four years.

Daughter of the late Michael and Stefania (Kozdronkiewicz) Jurkiewicz, Helen will be deeply missed by her daughter Elizabeth Babinski and son Christopher and his wife, Debbie. Helen was predeceased by her husband Stanley, son Michael and grandson Aaron. She was a cherished Babci to 10 grandchildren and 15 great-grandchildren, and many nieces, nephews, and extended family and friends.

She served as Town Clerk for 24 years and belonged to many civic organizations. As a faithful communicant of Christ the King Church, her day began at the chapel and morning mass. She loved her church, community, and family. She especially enjoyed Christmas and Easter making and serving traditional Polish food to family and friends. Entertaining, gardening, and watching the Red Sox were her favorite pastimes.

The town of Ludlow is grateful for her committed and dedicated public service. She will be deeply missed by all.

Accordingly, as a mark of respect to the memory of Helen Lemek, at twenty-one minutes before twelve o'clock noon, on motion of Mr. O'Connor, the Senate adjourned to

meet again on Monday next at eleven o'clock A.M.
